

## PLANNING COMMISSION MINUTES

August 3, 1993

Present: Chairman Dick Dresher, Kathl Izatt, Jeff Chretien, Don Milligan, Mick Johnson; Jack Balling, City Engineer; Blaine Gehring, Planning and Redevelopment Director

Absent: Elaine McKay, Mike Holmes, Mark Green; Barbara Holt, City Council Representative; Shirley Chevalier, Recording Secretary

### Conditional Use Perm

8-3-93.2 Preschool for up to 12 children, 1044 E. Claremont Dr., Jewel Christopherson

Mrs. Christopherson would like to start a preschool in her home, and has submitted floor plans showing the areas where the children will be located. If approved, there would be two sessions per day with up to 12 children each, not lasting more than 4 hours per session. No child should attend more than one session per day. Staff recommends approval.

Mrs. Christopherson said she plans on holding just one session a day. She will be the only provider. She will have up to 12 four year olds, and on the Tuesday-Thursday sessions, ten 3 year olds. She has a plan whereby she will be there to meet each child as they are brought to the preschool, and she accompanies the child to the car when it is time to be picked up. She will operate during the school year only, and for only 2.5 hours each morning.

Ead Longman, 1040 E. Claremont Dr., next door neighbor to the Christophersons, said he questions some of the things they are trying to accomplish. He wanted to know what specific conditions they did to assure the compatibility of the surrounding land uses. Chairman Dresher said he did not know if they have had to do anything to their home other than designate a portion of it to facilitate the use. They have adequate space and have designated certain rooms. They need to have adequate parking or pick up and delivery area for the children, and they have that with their driveway and the street.

Mr. Longman said he takes opposition to Mrs. Christopherson's answer on the street being sufficient to handle that type of traffic situation, because in the winter the street narrows down considerably due to the snow conditions. Snow is pushed to the side which pushes the parking to the center of the street. He feels It will create a traffic problem. The street is heavily traveled to 1800 South, with many cars traveling fast. He wonders why the neighbors were not asked prior to the petition for the permit, to get their feeling. If there is a need for additional employees, where will they park? A personal concern of Mr. Longman's, is the fact they own dogs that bark and are a nuisance. If the dogs stay when the children come, will this create a bigger problem, and how will this be addressed? He contacted realtors who told him that bringing this type of business into the neighborhood might have some bearing on the value of his home if he decides to sell in the future. He further feels flyers should not have been sent until this issue is resolved. (Mrs. Christopherson had flyers prepared announcing that her preschool would be opening soon.) His vote is no.

Mrs. Christopherson stated the notice was sent out because by city regulations she is allowed to have a preschool in her home for 6 children in each session without a conditional use permit; however, she prefers to have 12 children because It is better for the children, and she does not want to work afternoons. She did not contact the neighbors beforehand because the timing was such she needed to submit her application quickly to schedule this meeting. She has been working part-time in the afternoons at a day care facility, but she will be taking her parents into her home, and it would be too expensive to hire someone to stay with them for 6 hours each day. This would allow her to be there in case of an emergency.

Regarding danger to children from traffic, Mrs. Christopherson stated her instruction to parents will be that they are to stop by her driveway so no child has to cross the street to load or unload. The children will arrive at 9 or 9:30 AM and leave at 11:30 AM or noon.

As far as the dogs are concerned, they will be confined to an area where they will not be a nuisance during the time the children are there, since some children are afraid of dogs or are rough with dogs. A preschool is not a place for dogs to be, and she has planned for that.

Mrs. Peter Grieves, 950 E. Elaine Dr., said they have spent a lot of money on their home and if you let one business in you are going to have more. She talked to a realtor and It does devalue your property. She votes no.

Mr. Gehring explained there is an allowance in the ordinance for a home occupation, without a public hearing, for a preschool or day care with up to 6 children. This is done by application and there are limitations.

Mr. Youngman again brought up the issue of traffic, especially in winter with snow piled up. Chairman Dresher asked City Engineer Jack Balling if the road can handle another 24 cars. Mr. Balling replied It is a feeder street, 60 ft. wide. Twenty-four more cars should not be an impact on traffic, though the street is steep. It was noted that these vehicles would not be on the street during the peak morning and evening hours.

Syd Shurtliff, 1046 So. 1550 E., said she used to live in this neighborhood. There is another preschool on Fair Oaks Drive above 900 East, with 10-12 children, two sessions per day, 5 days a week, with the same type of street, same basic conditions. She has sent two of her children to that preschool and there has been no problem with the traffic.

Reed Davis, said some neighbors do not have young children, but will have the noise, and asked **how** do we address any complaints they might have if an issue arises? Mr. Balling stated when they apply for a home occupation license for preschool or day care, they have to comply with 7 items. (Mr. Gehring read the Items.) Mr. Davis was told that he should contact the Planning office if there is a problem. Julie Thomas, who will be marrying Mr. Davis, said they will be purchasing the home across the street, and feels there will have to be some parking to accommodate 12 cars coming at one time. You cannot escort 12 kids all at once. Mrs. Christopherson said there is room for four cars in her driveway.

Chairman Dresher closed the public hearing and turned the time over to the Planning Commission. Kathl Izatt said there are two issues from the neighbors: the discomfort they feel about the dogs, and the parking. Kathi felt that the 96 ft. frontage on the property would be sufficient for about 7 cars, and the turnover would be quick enough. Mrs. Christopherson said she felt sure there would be some carpooling. They own horse property in West Bountiful, and one dog is there. Kathl asked if Mrs. Christopherson would be amenable to coming back to the Planning Commission in a set length of time, 6 mos. or one year, to see how things were going, and she replied she would.

Jeff Chretien said he would feel comfortable in asking, as a part of the conditional use permit, that Mrs. Christopherson check back with the Planning Commission in 9 months. He is in favor of it and thinks it is a good plan.

Kathl Izatt made a motion to grant the conditional use permit for Mrs. Christopherson's preschool for up to 12 children at 1044 East Claremont Drive, on the condition that the applicant return to the Planning Commission at the second meeting in May of 1994, and that the public be notified that she will be coming back for a review of the conditional use permit as it has been used up to that point. The Planning Commission will determine whether or not to grant it permanently at that time. Don Milligan seconded the motion; voting was unanimous.

Mr. Youngman stated that he wanted to go on record as saying if the dogs continue to be a nuisance because of the influx of people into the home, and they are not contained, and the barking and the noise is creating a problem in the neighborhood, he will personally get a letter with the signatures of the ones who are bothered and present it to the Planning Commission, and he expects some action on it.

#### **Site Plan ApRroya**

8-3-93.3 Preliminary and Final Approval for an Accounting Office at 207 E. 500 So., Brenda Homer, Owner

No one was present for this Rem. Jeff Chretien made a motion to table, seconded by Kathi Izatt; unanimously approved.

#### **Subdivision**

8-3-93.4 Preliminary and Final Approval - Building Lot at 3219 So. 100 E., Kent Burch, Owner

This lot has been divided from the Val Verda Subdivision. It is a large lot, 120 ft. frontage and 240 ft. deep. Staff has reviewed the plan and recommends approval subject to the following conditions:

1. Construction of a 4 ft. wide sidewalk across the frontage of the property to city standards; 2. Provide a 7 ft. utility easement access across the front and back of the lot; 3. Payment of a storm detention fee in the amount of \$579.00; 4. Payment of a \$30.00 checking fee; 5. Payment of all required utility connection fees and installation of all required utilities; 6. Compliance with all building codes and requirements of Bountiful City.

There are vacant lots on both sides of this property, 2 on the south and 2 on the north that will come in for approval sometime in the future.

Jeff Chretien made a motion to grant preliminary and final approval for a building lot owned by Mr. Kent Burch at 3219 South 100 East, pursuant to the recommendations as outlined by staff; Mick Johnson seconded the motion; voting was unanimous.

8-3-93.5 Preliminary and Final Approval - Building Lot at 4105 South Bountiful Blvd., Greg Erickson, Owner

This property is located on the west side of Bountiful Boulevard at 4105 South, and contains 3.2 acres of undeveloped land. Mr. Erickson wants to build a home and keep an existing barn. Staff recommends approval of the building lot subject to the following conditions:

1. Provide a 7 ft. wide utility easement along Bountiful Boulevard and at other locations along property lines as required by the utility companies;
2. Compliance with the 200 ft. setback ordinance of Bountiful City;
3. Payment for storm water detention for two lots in the amount of \$1,157.00; 4. Payment of \$30.00 checking fee;

5. Payment of all required utility connection fees and installation of all required utilities; 6. Compliance with all building codes and requirements of Bountiful City.

Mr. Balling stated the curb and gutter and sidewalk are existing. They will have to make the utility connections. Mr. Ericksen commented that the sewer has been stubbed in, as well as the power and gas.

Don Milligan made a motion to grant preliminary and final approval to Greg Ericksen's building lot at 4105 So. Bountiful Blvd., subject to the 6 Items recommended by staff-, Mick Johnson seconded the motion; voting was unanimous.

8-3-93.6 Preliminary Plat Approval for Sterling Hollow Subdivision, 3650 S. 100 W., Kent Hoggan, Developer This Rem was cancelled.

Meeting adjourned at 8:10 PM.